

**Amendment and Response Under 37 C.F.R. §1.116**

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Confirmation No.: 8345

Filed: September 12, 2003

For: FEEDTHROUGH APPARATUS WITH NOBLE METAL-COATED LEADS

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**Remarks**

The Office Action mailed June 26, 2008 has been received and reviewed.

Claims 13, 20, 22, 42, and 65 have been amended. Upon entry of these amendments, claims 1-5, 7-14, 16-36, 38-48, 50-57, 59-65, and 68-72 remain pending.

Reconsideration and withdrawal of the rejections as discussed below are respectfully requested.

**The 35 U.S.C. § 112 Rejection**

Claim 65 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Applicants have amended claim 65 to remove the language objected to as the basis for this rejection. Support for claim 65 as amended can be found in the applications as filed at, e.g., Paragraphs [0026] – [0027] (pages 6-7).

Applicants respectfully request reconsideration and withdrawal of the § 112, second paragraph rejection of claim 65.

**The 35 U.S.C. §103 Rejections**

**Seifried et al./Stevenson et al./Dahlberg et al.**

Claims 1, 2, 5, 7-14, 16-22, 25-36, 38-45, 48-57, and 59-65 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Seifried et al. (U.S. Patent No. 5,531,003) in view of Stevenson et al. (U.S. Patent No. 6,159,560) and in view of Dahlberg et al. (U.S. Patent No. 5,245,999). Applicants respectfully traverse this rejection.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. Applicants respectfully submit

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that the combination of Seifried et al. in view of Stevenson et al. and Dahlberg et al. does not teach or suggest each and every element of claims 1, 2, 5, 7-14, 16-22, 25-36, 38-45, 48-57, and 59-65.

Independent article claims 1, 44, and 65, as well as independent method claim 22, all recite, *inter alia*, a feedthrough assembly having a terminal extending through a ferrule. A first conductive metal coating is provided on the first end of the terminal and a second conductive metal coating is provided on at least a portion of the outer surface of the ferrule. In other words, the first conductive metal coating is located on the terminal, i.e., the pin that extends through the ferrule, while the second conductive metal coating is on the outer surface of the ferrule itself. Although claim 65 as amended does recite both first and second coatings on the first end of the terminal, the claim also recites that the second conductive metal coating is provided on at least a portion of the outer surface of the ferrule as well.

In contrast, the asserted obviousness rejection is based on the premise that the cited references suggest a second conductive metal coating applied over a first conductive metal coating on a terminal. That construction does not, however, encompass the combination of a first conductive metal coating on a terminal and a second conductive metal coating on a ferrule as recited in independent claims 1, 22, 44, and 65. As a result, Applicants respectfully submit that a *prima facie* case of obviousness has not been established with respect to claims 1, 2, 5, 7-14, 16-22, 25-36, 38-45, 48-57, and 59-65.

Furthermore, Applicants also respectfully submit that although it is asserted that Stevenson et al. teaches a second conductive coating over a first conductive coating, no such teaching exists in Stevenson et al. Rather, Stevenson et al. teaches only the use of silver to coat a terminal pin, with no explicit teaching that the terminal pin itself is constructed as anything other than a solid homogeneous structure that may be formed of a variety of metals and metal alloys.

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Applicants further note that Dahlberg et al. is cited in combination with Seifried et al. and Stevenson et al. for its teachings regarding the use of a second connector to connect to the ferrule. Dahlberg et al., as a result, does not remedy the deficiencies of Seifried et al. and Stevenson et al. that prevent the asserted rejection from meeting the requirements for a *prima facie* case of obviousness with respect to claims 1, 2, 5, 7-14, 16-22, 25-36, 38-45, 48-57, and 59-65.

For at least the reasons presented herein, Applicants respectfully submit that the asserted combination of Seifried et al., Stevenson et al. and Dahlberg et al. does not establish a *prima facie* case of obviousness with respect to claims 1, 2, 5, 7-14, 16-22, 25-36, 38-45, 48-57, and 59-65. Reconsideration and withdrawal of this rejection are, therefore, respectfully requested.

**Seifried et al./Stevenson et al./Dahlberg et al./Pless et al.**

Claims 3, 23, 46, 68, 70, and 72 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Seifried et al. in view of Stevenson et al. and Dahlberg et al. as applied above, and further in view of Pless et al. (U.S. Patent No. 5,131,388). Applicants respectfully traverse this rejection.

**Dependent Claims 3, 23, and 46**

With respect to claims 3, 23, and 46, each of which depends from one of independent claims 1, 22, and 44, Applicants respectfully submit that the combination of Seifried et al. in view of Stevenson et al. and Dahlberg et al. does not teach or suggest each and every element of claims 1, 22, and 44 as discussed above and, furthermore, that the addition of Pless et al. does not remedy the deficiencies of the asserted *prima facie* case of obviousness with respect to independent claims 1, 22, and 44. As a result, the combination of Seifried et al. in view of Stevenson et al., Dahlberg

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et al., and Pless et al. does not support a *prima facie* case of obviousness with respect to claims 3, 23, and 46.

For at least the reasons presented herein, Applicants respectfully submit that a *prima facie* case of obviousness has not been established with respect to dependent claims 3, 23, and 46. Reconsideration and withdrawal of the rejection as applied to claims 3, 23, and 46 are, therefore, respectfully requested.

**Independent Claims 68, 70, and 72**

With respect to independent claims 68, 70, and 72, Applicants respectfully submit that the combination of Seifried et al. in view of Stevenson et al. and Dahlberg et al. does not teach or suggest each and every element of independent claims 68, 70, and 72.

Independent claims 68, 70, and 72 all recite, *inter alia*, a feedthrough assembly having a terminal extending through a ferrule. A first conductive metal coating is provided on the terminal and a second conductive metal coating is provided on the ferrule. In other words, the first conductive metal coating is located on the terminal, i.e., the pin that extends through the ferrule, while the second conductive metal coating is on the ferrule itself.

As a result, the arguments presented above with respect to the asserted obviousness rejection of claims 1, 2, 5, 7-14, 16-22, 25-36, 38-45, 48-57, and 59-65 apply equally to the obviousness rejection of claims 68, 70, and 72. Further, as noted above, the addition of Pless et al. does not remedy the deficiencies of the asserted *prima facie* case of obviousness with respect to claims 1, 2, 5, 7-14, 16-22, 25-36, 38-45, 48-57, and 59-65.

For at least the reasons presented herein, Applicants respectfully submit that the asserted combination of Seifried et al., Stevenson et al., Dahlberg et al., and Pless et al. does not establish a *prima facie* case of obviousness with respect to independent

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claims 68, 70, and 72. Reconsideration and withdrawal of this obviousness rejection as applied to claims 68, 70, and 72 are, therefore, respectfully requested.

**Seifried et al./Stevenson et al./Dahlberg et al./Langer**

Claims 4, 24, 47, 68, 69, 70, 71, and 72 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Seifried et al. in view of Stevenson et al. and Dahlberg et al. as applied above, and further in view of Langer (U.S. Patent No. 4,254,775).

Applicants respectfully traverse this rejection.

**Dependent Claims 4, 24, and 47**

With respect to claims 4, 24, and 47, each of which depends from one of independent claims 1, 22, and 44, Applicants respectfully submit that the combination of Seifried et al. in view of Stevenson et al. and Dahlberg et al. does not teach or suggest each and every element of claims 1, 22, and 44 as discussed above and, furthermore, that the addition of Langer does not remedy the deficiencies of the asserted *prima facie* case of obviousness with respect to independent claims 1, 22, and 44. As a result, the combination of Seifried et al. in view of Stevenson et al., Dahlberg et al., and Langer does not support a *prima facie* case of obviousness with respect to claims 4, 24, and 47.

For at least the reasons presented herein, Applicants respectfully submit that a *prima facie* case of obviousness has not been established with respect to dependent claims 4, 24, and 47. Reconsideration and withdrawal of the rejection as applied to claims 4, 24, and 47 are, therefore, respectfully requested.

**Independent Claims 68, 69, 71, and 72**

With respect to independent claims 68, 69, 71, and 72, Applicants respectfully submit that the combination of Seifried et al. in view of Stevenson et al. and Dahlberg et

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al. (with or without the addition of Langer) does not teach or suggest each and every element of independent claims 68, 69, 71, and 72.

Independent claims 68, 69, 71, and 72 all recite, *inter alia*, a feedthrough assembly having a terminal extending through a ferrule. A first conductive metal coating is provided on the terminal and a second conductive metal coating is provided on the ferrule. In other words, the first conductive metal coating is located on the terminal, i.e., the pin that extends through the ferrule, while the second conductive metal coating is on the ferrule itself.

As a result, the arguments presented above with respect to the asserted obviousness rejection of claims 1, 2, 5, 7-14, 16-22, 25-36, 38-45, 48-57, and 59-65 apply equally to the obviousness rejection of claims 68, 69, 71, and 72. Further, the addition of Langer does not remedy the deficiencies of the asserted *prima facie* case of obviousness with respect to claims 1, 2, 5, 7-14, 16-22, 25-36, 38-45, 48-57, and 59-65.

For at least the reasons presented herein, Applicants respectfully submit that the asserted combination of Seifried et al., Stevenson et al., Dahlberg et al., and Langer does not establish a *prima facie* case of obviousness with respect to independent claims 68, 69, 71, and 72. Reconsideration and withdrawal of this obviousness rejection as applied to claims 68, 69, 71, and 72 are, therefore, respectfully requested.

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**Summary**

It is respectfully submitted that the pending claims are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives at the telephone number listed below if it is believed that prosecution of this application may be assisted thereby.

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26 NOV. 2008

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**CERTIFICATE UNDER 37 CFR §1.8:**

The undersigned hereby certifies that this paper is being transmitted via the U.S. Patent and Trademark Office electronic filing system in accordance with 37 CFR §1.6(a)(4) to the Patent and Trademark Office addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 26<sup>th</sup> day of November, 2008.

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